

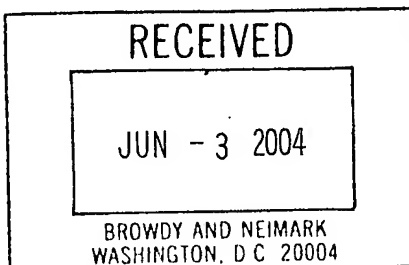


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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/800,004 | 03/15/2004 | William V. Judy | JUDY1 ✓ |

001444
 BROWDY AND NEIMARK, P.L.L.C.
 624 NINTH STREET, NW
 SUITE 300
 WASHINGTON, DC 20001-5303



CONFIRMATION NO. 6821

FORMALITIES LETTER



OC000000012824161

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

MSP = 01 AUG 2004

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1.

SUMMARY OF FEES DUE:

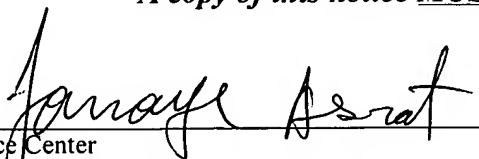
Total additional fee(s) required for this application is \$900 for a Large Entity

07/30/2004 ZTUHAR1 00000029 10800004 770.00 0P 130.00 0P
 01 FC:1001
 02 FC:1051

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Atty Docket: JUDY1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Application Division
William D. JUDY) **ATTN: BOX MISSING PARTS**
Serial No.: 10/800,004) Washington, D.C.
Filing Date: March 15, 2004) Confirmation No. 6821
For: DEVICE AND METHOD FOR MEASURING CARDIAC...) July 29, 2004

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION
FILED UNDER 37 CFR 1.53(b)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION..." dated June 1, 2004. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, and filing date.
[] Application Data Sheet.
[XX] Replacement drawings in compliance with 37 CFR 1.84 and 37 1.121. 1 total sheet(s) included
[] A certified copy of priority document no. _____, filed _____ Priority is claimed.
[] An Information Disclosure Statement with 08A-1449 and _____ references.
[XX] Total fees in the amount of: \$900.00.
The filing fee is calculated below:

| | (Col. 1) | (Col. 2) | SMALL ENTITY | | | OTHER THAN SMALL ENTITY | |
|---|-----------|-----------|--------------|------|----|-------------------------|----------|
| FOR: | NO. FILED | NO. EXTRA | RATE | FEE | OR | RATE | FEE |
| BASIC FEE | | | | \$00 | OR | | \$770.00 |
| TOTAL CLAIMS | 18-20 | 0 | X 9= | \$00 | | X 18= | \$00 |
| INDEP. CLAIMS | 1-3 | 0 | X 43= | \$00 | | X 86= | \$00 |
| [] MULTIPLE DEPENDENT CLAIMS PRESENTED | | | + 145= | \$ | | + 290= | \$00 |
| If the difference in Col. 1 is less than 0, enter "0" in Col. 2 | | | TOTAL | \$00 | | TOTAL | \$770.00 |

- [XX] Late filing of Declaration surcharge in the amount of:
Small Entity [] \$65.00 Other than Small Entity [XX] \$130.00
[] Applicant claims small entity status. See 37 CFR 1.27.
[] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity
Response Filed Within

- [] First - \$ 55.00
[] Second - \$ 210.00
[] Third - \$ 475.00
[] Fourth - \$ 740.00
[] Fifth - \$1,005.00

Month After Time Period Set

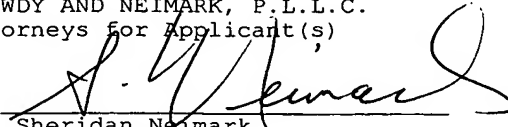
Other Than Small Entity
Response Filed Within

- [] First - \$ 110.00
[] Second - \$ 420.00
[] Third - \$ 950.00
[] Fourth - \$1,480.00
[] Fifth - \$2,010.00

Month After Time Period Set

- [XX] Conditional Petition for Extension of Time:
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$900.00 is enclosed to cover the fees.
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: 
Sheridan Neimark
Registration No. 20,520